



COMMUNITY INVOLVEMENT PLAN

Midnite Mine Superfund Site *Wellpinit, Washington*



U.S. ENVIRONMENTAL PROTECTION AGENCY

SUMMER 2003

THIS EPA COMMUNITY INVOLVEMENT PLAN IDENTIFIES COMMUNITY CONCERNS ABOUT THE MIDNITE MINE Superfund site and outlines opportunities for the public to become involved in future site investigation and cleanup activities. Midnite Mine is an inactive, open-pit uranium mine on the Spokane Indian Reservation in Washington.

The plan, developed in consultation with members of the community, can be updated at any time. We are posting it on the EPA Region 10 Web page at <http://www.epa.gov/r10/earth>.

EPA'S COMMUNITY INVOLVEMENT GOALS

EPA encourages meaningful community involvement. The goals of this plan are to:

- ◆ Inform the public of planned and ongoing site activities.
- ◆ Keep communication about site cleanup open, ensuring that questions are answered, and concerns and conflicts are addressed as they occur.
- ◆ Provide interested parties with useful information.
- ◆ Provide citizens with opportunities to comment on and be involved in technical decisions. In addition, encourage and assist local citizens in providing input to agency decisions that will have long-term effects on their community.

EPA INVITES YOUR COMMENTS

If you have questions about the site or this plan, or would like additional information, please call, write or e-mail:

Debra Sherbina

Community Involvement Coordinator
(206) 553-0247
E-Mail: sherbina.debra@epa.gov

Elly Hale, Project Manager

(206) 553-1215
E-Mail: hale.ellie@epa.gov

Environmental Protection Agency
1200 Sixth Avenue
Seattle, WA 98101-1128
Call toll-free: 1-800-424-4372

THIS PLAN CONTAINS:

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REGULAR PUBLIC MEETINGS HELP IDENTIFY CONCERNS

Public meetings help EPA understand community concerns and how residents would like to be involved in the process. Sometimes the meetings also provide information that may help the investigation and cleanup. EPA will continue to hold public meetings throughout the cleanup process.

We have held six public meetings since 1999. Representatives from EPA also meet several times a year with members of the Spokane Tribal Council, and regularly stay in touch with the Council and Tribal environmental staff via e-mail, letters, and phone calls. Before each public meeting, EPA meets with the Council to outline future activities of the Agency and its contractors. At the June 2003 meeting, the Council asked that EPA slow its pace toward a Record of Decision (ROD), to allow the Tribe time to gather and analyze data. The Council feels this would improve the selected cleanup strategy and be more responsive to Tribal members' needs.

A summary of community concerns is listed below. A complete list of comments from the community interviews we did in 1999 can be found in the Appendix at the end of this plan.

EPA recognizes that there may be additional concerns and/or information we should hear. Please feel free to contact Debra Sherbina, Community Involvement Coordinator, at any time to share your concerns or to become involved.

WHAT WE'VE HEARD FROM THE COMMUNITY: SUMMARY OF CONCERNS FROM PUBLIC MEETINGS (1999-PRESENT):

Tribe's Cultural Relationship to Land and Resources

- ◆ Will the site be safe for traditional use after cleanup?
- ◆ Will EPA sample animals, berries, and other things people eat?
- ◆ Members of the Spokane Tribe have a unique relationship with the land at this site. Is the feedback received from the community and the Tribal government being considered in its cultural context?
- ◆ How will EPA factor future land use into the cleanup for Midnight Mine?

Quality: Will EPA's Cleanup Address Health Concerns?

- ◆ What consumption rate is EPA using for the risk assessment?
- ◆ Will EPA do a health study of the Tribe, especially people who worked at the mine or mill?

- ◆ What will be done about the radioactive ore used on the roads and for building materials for houses?
- ◆ How will EPA factor in background contaminant levels to consider cleanup levels? The "acceptable contaminant background level" will be a crucial number in the cleanup.
- ◆ How will EPA determine which background levels are "pre-mining"?

Cleanup Methods

- ◆ What about using a technology that leaches out radiation?

Economic Issues

- ◆ What about all of the jobs lost to the Tribe due to the mine closing?
- ◆ Will the EPA cleanup create jobs for the Tribe?

Agency Roles

- ◆ The community sees the mill and mine as one site, not two, because both seem to present the same health threat and therefore one problem.
- ◆ If EPA is dealing with Midnite Mine, and the Washington State Department of Health is dealing with Dawn Mill, who is dealing with what is in between?

EPA's responses to many of the above questions were published in the October and November 2000 issues of the *Rawhide Press*. These articles can also be found on the EPA web site at <http://www.epa.gov/r10earth/>. At EPA's site, click on *Index*, then on *M*. Scroll down to find *Midnite Mine*. If you would like a hard copy of EPA's responses, please call Debra Sherbina.

HOW WE WILL KEEP YOU INFORMED

EPA will use a variety of tools to keep you informed and involved in our work at Midnite Mine. This list can be updated at any time. EPA welcomes additional suggestions from community members.

◆ Fact Sheets

EPA will send fact sheets summarizing our work and technical findings to our mailing list. The Tribe keeps a database of tribal members and will provide EPA with labels for site-related mailings only. EPA will not add Tribal members to EPA's mailing list unless requested.

◆ Public Meetings

We will hold public meetings at least twice per year, or more often if needed, to give you current information about our work at Midnite Mine and respond to your concerns. Meetings will also be held during public comment periods. They will be announced in future fact sheets and notices in the *Rawhide Press*. Meeting announcements will also be posted at various locations, such as the post offices in Ford, Fruitland, and Wellpinit. Meetings will usually be held at the community center at the west end of the reservation and the Tribal Center in Wellpinit, with the assistance of Randy Connolly.

◆ Information Repository

An information repository makes materials available for public review. Technical documents and reports will be placed in the Information Repository at the Spokane Tribe Department of Natural Resources, located on the Ford/Wellpinit Road. Call Randy Connolly at (509) 258-7709, extension 13 to arrange a review.

COMMUNICATION WITH THE SPOKANE NATION

EPA is consulting with the Tribe on a Government-to-Government basis throughout the cleanup process. The following activities will allow ongoing communication:

- ◆ EPA will consult with the Tribe through Government-to-Government meetings at critical periods throughout the Superfund process, or as requested by the Tribal Council.
- ◆ EPA representatives will coordinate throughout the process with the Spokane Tribe's Department of Natural Resources and the designated Superfund Coordinator, Randy Connolly.
- ◆ The EPA Project Manager and Community Involvement Coordinator will coordinate with EPA's Tribal Liaison, Alan Moomaw; with other Superfund site managers for projects that involve the Spokane Tribe; and with EPA programs with Spokane Tribal grants.

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HOW WE WILL KEEP YOU INFORMED *(continued from page 3)*◆ **Workshops**

EPA plans to hold a public workshop in Fall 2003 to help the community learn more about potential cleanup technologies before the cleanup plan ("Proposed Plan") is written. At the June 2003 public meeting, EPA suggested this workshop and would like community feedback about how we could make this useful to you. In addition, citizens or the Tribal Council may request a workshop on such topics as: The Superfund Process, Sampling Techniques, Potential Health and Environmental Risks Associated with the Site, and Cleanup Alternatives. If you would like to have a workshop on

any subject related to Midnite Mine, please contact Debra Sherbina.

◆ **Web Site**

Fact sheets and other information about the site will be placed on the EPA Web page. That page is <http://www.epa.gov/r10earth/>. Once there, click on *Index*, then click on *M*. Scroll down to *Midnite Mine*. The EPA Project Manager and Community Involvement Coordinator will make contact information available, including the EPA toll-free phone number.

◆ **Technical Assistance Grant (TAG) Available for Midnite Mine**

A TAG PROVIDES FUNDS TO AID COMMUNITIES AFFECTED BY A SUPERFUND SITE. Grant money can be used to hire technical advisors to review and explain technical materials produced as part of the Superfund process, and to keep the community informed. This grant requires a group to provide a matching "in-kind" contribution of skills, supplies, and/or volunteer services equal to 20% of the grant amount. Donated office equipment and time, as well as cash, count towards this 20% match. To receive more information about TAGs, including eligibility requirements, please call Debra Sherbina, EPA Region 10 TAG Coordinator, at (206) 553-0247, or toll-free at 1-800-424-4372, ext. 0247.



COMMUNITY INVOLVEMENT TO DATE

- 1) The site mailing list is updated regularly. The Tribe also will continue to send labels to EPA for mailings to Tribal members. EPA's mailing list includes local government contacts, key site contacts, and interested citizens. Tribal members are added to the EPA mailing list upon request.
- 2) A 60-day public comment period was held following the February 1999 proposal to add the Midnite Mine site to EPA's National Priorities List.
- 3) In March 1999, EPA representatives met with members of the Tribal Council to discuss the site and interview them for the Community Involvement Plan. Their comments have been included in the Appendix.

- 4) In July 1999, the Tribe hosted a meeting for EPA to talk with Tribal members and conduct community interviews. Concerns expressed during the July meeting are outlined in the Appendix to this Community Involvement Plan.
- 5) In August 1999, notices were posted to announce an upcoming EPA roadside radiation scan.
- 6) Six fact sheets have been distributed: April 1998, July 1999, October 1999, June 2001, October 2001, October 2002. A postcard was mailed to announce the June 2003 public informational meeting.
- 7) Public informational meetings were held in Wellpinit in January 2001, October 2001, November 2002, and June 2003.
- 8) Customer Feedback surveys were sent to the entire mailing list with the June 2001 fact sheet. Nineteen of these forms were returned to EPA, which helped us see what was working and what could be improved or changed in our fact sheets. Here is a summary of comments and ways EPA will address them:

<> CUSTOMER SURVEY COMMENTS <>

Many people felt we should have *more public meetings*, but almost the same number thought we should *only involve the community at significant project milestones*. EPA will try to hold at least two meetings each year, and will hold other meetings at significant project milestones or at the community's request.

In general, people wanted *more details* about current and upcoming site activities, and thought *defining technical terms* was important. Fact sheets provide general updates. We will define technical terms in the fact sheets and at public meetings. We are also available to provide clarification or additional details at meetings or by phone.

Most respondents preferred that fact sheets be sent *via mail rather than e-mail*. EPA will continue to send fact sheets and other written materials through the mail. We also will provide this information on our web page.

- 9) In summer 2002, EPA worked with the Tribe to set up a Midnight Mine educational kiosk at the Tribal Center. It includes: ♦ a large photograph and map of the mine; ♦ a health-risk graphic; ♦ contacts; ♦ general background information about the mine; ♦ cleanup steps; ♦ tips on how to get involved; ♦ also a place for current fact sheets and other site-related information.

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COMMUNITY INVOLVEMENT TO DATE *(continued from page 5)*

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| <p>10) In October 2002, EPA mailed a survey to the Spokane Tribe mailing list asking about site-related health concerns. The survey was enclosed with a fact sheet. EPA's purpose was to get ideas to help us improve our outreach efforts. We received 44 responses and compiled the results.</p> <p>Comments and numerical data reflect a wide range of community views. Many people are concerned about effects on the local ecology. Some also have concerns about people who have worked at Midnite Mine or other facilities, and about those who live near or use the mine or nearby areas. Several are skeptical about current risks and EPA's role. Concerns include some non-Superfund issues. An approach to outreach is needed that will address all parts of the community to clarify the role of Superfund and to increase the community's understanding of and comfort with the work EPA is doing.</p> <p>To address the above concerns, EPA sent a list of potential outreach recommendations to the Spokane Tribe for comment in</p> | <p>March 2003. We also provided the survey results and outreach recommendations at the June 2003 meeting. To get a copy of the survey results and recommendations, call Debra Sherbina. They are also posted on the EPA Midnite Mine web site.</p> <p>11) In April 2003, EPA staffed an informational booth at the Wellpinit School Annual Health Fair. Many people stopped by to talk with us and pick up materials.</p> <p>12) In summer 2003, EPA held a 30-day public comment period to invite comments on our proposal to remove radioactive roadside ore at Midnite Mine. An announcement of the public comment period was published in the <i>Rawhide Press</i> and sent to EPA's Midnite Mine mailing list. We also announced the comment period at the June 17, 2003 public informational meeting, and mailed a postcard announcement to EPA's mailing list.</p> <p>13) The EPA Midnite Mine Web page is updated regularly with current site documents and contacts.</p> |
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SITE DESCRIPTION AND BACKGROUND

MIDNITE MINE IS AN INACTIVE, OPEN-PIT URANIUM MINE eight miles northwest of Wellpinit, Washington, on the Spokane Tribe Reservation. Between 1955 and 1981, Dawn Mining company mined uranium ore at Midnite Mine.

Waste rock and piles of ore and protore (lower grade ore) remain on the site. Two pits remain open and contain water. The larger, more contaminated pit is fenced to prevent access.

Since 1992, Dawn has been required to collect contaminated water flowing from the mined areas.

The water is treated on site to remove contamination and is discharged to a surface drainage that leads to Blue Creek. Trucks move sludge from the water treatment area to Dawn's mill and dispose of it in the lined tailings disposal pond at the mill. This has reduced the amount of contaminated water leaving the site, but a more effective and permanent control is needed to protect human health and the environment.

In May 2000, due to elevated levels of metals and radionuclides at the site, EPA listed Midnite Mine

BACKGROUND *(continued)*

on the Superfund National Priorities List of sites eligible for federal cleanup funds. The EPA cleanup study is now underway. This study is called the “Remedial Investigation/Feasibility Study” or “RI/FS.”

Data from sampling monitoring wells, stream water and sediment, pit water and sediment, surface and subsurface materials, and radiation measurements

will be used to prepare a report called the “Remedial Investigation (RI) report.” This report will describe how much and what kinds of contamination exist at and near Midnight Mine, and where the contamination is located. It will also include the results of the risk assessments for human and ecological health. From this basis, EPA will develop site cleanup alternatives. The Agency expects to issue the draft RI report in 2003.

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THE NEIGHBORING COMMUNITY

THE MIDNITE MINE SITE IS ABOUT EIGHT MILES from the town of Wellpinit. Both are on the Spokane Reservation in Stevens County, Washington. The reservation boundaries, established in an 1881 Executive Order by President Hays, are: the 48th parallel on the north, the east bank of Chamokane Creek on the east, the south bank of the Spokane River on the south, and the west bank of the Columbia River on the west.

The Spokane Indians are part of the Interior Salish group which has inhabited northeastern Washington, northern Idaho, and western Montana for centuries. In 1990, the population of the Spokane Indian Reservation numbered 1,502. Eighty-three percent of the population on the Spokane Indian Reservation is made up of American

Indians with a median (mid-range) age of 22 years. Many reservation residents are employed by the logging industry. A few members are employed in farming and livestock.

Most houses on the reservation rely on private sources of water, sewage disposal, and heat. About 51% rely on water from private wells; 38% have access to a public water system or private water company; and 11% obtain their water from other sources.

The Spokane Tribal Council serves as both the legislative and executive branches of the Tribe. The Council consists of a chairperson, a vice chairperson, a secretary, and two council members.

WHAT IS SUPERFUND?

The Superfund law gives EPA authority to study and clean up releases or threatened releases of hazardous substances. The complex Superfund process can take many years to complete. On average, a site can stay on the National Priorities List (NPL) anywhere from six to ten years.

EPA can address an immediate hazard quickly with a Removal Action. Using Superfund authority, Removal Actions also can address non-NPL sites that pose an imminent threat to human health or the

environment. The long-term (remedial) Superfund process includes a detailed site investigation that tests soil, water, air, and waste. EPA studies the results, considers the possible risks, and evaluates several potential cleanup strategies, using nine criteria. The criteria include public acceptance.

The Agency then chooses the best remedy, designs and constructs it. When the remedy is completed, it must be operated, maintained, and monitored for several years.

IF YOU HAVE QUESTIONS, you can call:**EPA****Debra Sherbina**

Community Involvement Coordinator
(206) 553-0247
E-Mail: sherbina.debra@epa.gov

Elly Hale

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(206) 553-1215
E-Mail: hale.ellie@epa.gov

Alan Moomaw

Tribal Liaison
(360) 753-8071
E-Mail: moomaw.alan@epa.gov

HEALTH-RELATED CONCERNS

Ric Robinson, Agency for Toxic Substances
and Disease Registry
(206) 553-5114

TRIBAL CONTACTS**Randy Connolly**

Superfund Coordinator, Spokane Tribe
(509) 258-7709, ext.13

Rudy Peone

Director, Tribal Dept. of Natural Resources
(509) 258-9042

Warren Seyler, Chairman, Tribal Council

(509) 258-4581
Website: <http://www.spokanetribe.com>

DOCUMENTS USED TO MAKE SITE DECISIONS
are available at the following locations:

U.S. Environmental Protection Agency
Seventh Floor Records Center
1200 Sixth Avenue
Seattle, Washington 98101-1128
Contact: Elly Hale, toll free
1-800-424-4372 ext.1215

The Spokane Tribe of Indians
Department of Natural Resources
Ford-Wellpinit Road
P. O. Box 100
Wellpinit, WA 99040
Contact: Randy Connolly, (See left column)

NEWSPAPERS

Rawhide Press
PO Box 100
Wellpinit, WA 99040

Spokane Spokesman-Review
PO Box 2160
Spokane, WA 99201

EPA will continue to send our fact sheets to
elected federal officials, including **Senator**
Maria Cantwell, **Senator Patty Murray**, and
Representative George Nethercutt.

*For people with disabilities: if you have a special request for reasonable accommodation,
please call Debra Sherbina at (206) 553-0247 (toll-free: 1-800-424-4372). For TTY users:
please call the Federal Relay Service at 1-800-877-8339 and give the operator Debra Sherbina's
phone number.*

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APPENDIX

Summary of Concerns From Community Interviews Conducted March 24 and July 22, 1999.

◆ It is important to include the entire drainage in the investigation. Blue Creek was identified as a commodity important to the Tribe. Camping, fishing, and using the water in sweat lodges are some of the ways the Tribe uses the Creek.

◆ The Spokane Tribe has historically relied heavily on salmon. The Blue and Chamokane creeks begin on the reservation and are used for fishing several different types of fish. The whole fish, including the head and bones, are typically used in stews.

◆ One tribal member mentioned the stress that members of the tribe feel about the mine. He feels that the mine left a terrible scar and that it needs to be taken care of.

◆ Some livestock graze around the mine area and there is concern about cattle grazing and taking in any contamination.

◆ EPA needs to be clear where the site is in the Superfund process. People are going to want to know what is happening and know the facts about what has been found at the site.

◆ A couple of people expressed concern about who EPA is accountable to. There have been other federal agencies in the past who have come to meetings and have told the Tribe what is going to be done and not asked for input. This has resulted in mistrust about EPA's willingness to involve the Tribe in the activities at the site.

◆ A couple of people are concerned that the mining company will get away with not having

to pay for the cleanup.

◆ Others are concerned about the length of time it is taking for anything to get done at the site. They feel that there have been a lot of federal agencies involved with very little impact on the actual damage the mine has had. They are concerned that the site is being studied to death.

◆ One person asked if the route that the trucks have been taking when hauling waste from the mine to the mill will be studied.

◆ One tribal member who lives off the reservation was not able to attend the meeting and telephoned to express his concerns. The member discovered the mine and used to work there. He does not want to see the mine cleaned up. He feels that the tribe needs it for jobs. He said Blue Creek was contaminated before the mine was active and he knows that because he had tested the water. He also feels that EPA should not fill the pits at the mine, because the water in the pits can be used to help with forest fires.

◆ EPA representatives asked about the best ways to keep the community informed of activities at the site. The Tribal Council suggested using the *Rawhide Press* and regular public meetings.

The same question had been asked at the meeting on July 22, 1999. Many attendees felt that regular public meetings are a good idea. Also, the *Rawhide Press* was suggested as a way to notify people about meetings. One citizen mentioned the Internet and said that would be a good way to keep people updated on site activities.

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*MIDNIGHT MINE SUPERFUND SITE
COMMUNITY INVOLVEMENT PLAN
WELLPINIT, WASHINGTON
SUMMER 2003 UPDATE*